

MEETINGS TO DATE 23
NO. OF REGULARS 15
NO. OF SPECIALS 8

LANCASTER, NEW YORK
AUGUST 3, 1992

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 3rd day of August 1992 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. POKORSKI, COUNCILMAN
THOMAS H. VAN NORTWICK, COUNCILMAN
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
JOSEPH F. REINA, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

TABLED RESOLUTIONS:

Greco/Pokorski Petition State Legislature - Home Rule Law Re: Town Assessor - NO ACTION. (Tabled 2/13/92)

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law entitled "Local Law No.3 of the Year 1992 - Mandatory Recycling".

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

ADDRESS

Donald Syner, 610 Columbia Avenue, Lancaster, N.Y.
Rebecca Anderson, 490 Lake Avenue, Lancaster, N.Y.
Anthony Esposito, 1795 Como Park Blvd., Lancaster, N.Y.

OPPOSERS

ADDRESS

NONE

32X1

COMMENTS ONLY

ADDRESS

Ray Gwarek, 897 Erie Street, Lancaster, N.Y.
Charles Lorentz, 611 Aurora Street, Lancaster, N.Y.

QUESTIONS ONLY

ADDRESS

Michael Wehner, 35 Garfield Street, Lancaster, N.Y.
James Guenther, 562 Pavement Road, Lancaster, N.Y.
Mary Lou Ardino, 162 Main Street, Depew, N.Y.
Gloria Kubicki, 15 Maple Drive, Bomansville, N.Y.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:55 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 9:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to Chapter 50, Zoning, Section 17(c)(2), Swimming Pools and Ponds, of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented a copy of a letter which was mailed to the the Erie County Division of Planning notifying them of the time and place of this Public Hearing.

PROPOSERS

OPPOSERS

NONE

NONE

COMMENTS ONLY

ADDRESS

Mary Long, 25 Lombardy Street, Lancaster, N.Y.

QUESTIONS ONLY

ADDRESS

Gloria Kubicki, 15 Maple Drive, Bomansville, N.Y.

ON MOTION BY COUNCILMAN VAN NORTWICK, AND SECONDED BY COUNCILMAN POKORSKI AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:05 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

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PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 9:05 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Donato Developers Inc./Josela Enterprises, Inc. for property situate at 3778 and 3784 Walden Avenue, proposing of rezone of property from a RCO/R1- Residential-Commerical-Office and Residential Districts, to a R2 - Residential Two District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioners, the Architect for the Petitioners, the Erie County Division of Planning, and the Village Clerk of the Village of Lancaster, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS

ADDRESS

William Tuyn, Engineer for the developer

OPPOSERS

ADDRESS

Robert Herrnreiter, 151 Nichter Road, Lancaster, N.Y.

COMMENTS ONLY

ADDRESS

Ray Gwarek, 897 Erie Street, Lancaster, N.Y.
Joseph Juscak, 600 Pleasant View Drive, Lancaster, N.Y.
Earl Wolf, 526 Pleasant View Drive, Lancaster, N.Y.
Thomas Monin, 57 Gale Drive, Lancaster, N.Y.

QUESTIONS ONLY

ADDRESS

Michael Wehner, 35 Garfield Street, Lancaster, N.Y.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:30 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

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PRESSENTATION OF PREFILED RESOLUTIONS BY COUNCILMAN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board
and the Planning Board held on July 20, 1992 and the Regular Meeting of the
Town Board held on July 20, 1992, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.MIN (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GRECO, TO WIT:

WHEREAS, by letter dated July 16, 1992, the President of the Board of Director's of the Depew-Lancaster Boys' and Girls' Clubs has appealed to the Town Board of the Town of Lancaster for a grant of \$50,000 to help keep the vital programs which the Clubs provide for the youth of our community in full operation, and

WHEREAS, the Town of Lancaster has supported the youth of our community in the form of funding for the Clubs' programs annually for many years as part of the Town's normal operating budget, and

WHEREAS, the Town Board of the Town of Lancaster has carefully considered this request for a one-time grant of \$50,000 to help the Depew-Lancaster Boys' and Girls' Clubs through their current fiscal crisis and deems it in the best interest of the community to make such grant, and

WHEREAS, the Audited Financial Statements of the Town of Lancaster for the fiscal year ended December 31, 1991 indicate the availability of unreserved and unappropriated fund balance which could be used for this purpose

NOW, THEREFORE, BE IT

RESOLVED that the sum of \$50,000 is hereby authorized to be paid to the Depew-Lancaster Boys' and Girls' Clubs, at the earliest possible time, and

BE IT FURTHER

RESOLVED that the 1992 General Fund budget is hereby amended as follows:

GENERAL FUND

General Ledger Accounts

A599	Appropriated Fund Balance	50,000
A960	Budget Appropriations	50,000

Subsidiary Ledger Accounts - Appropriations

A7320.411	Youth Programs - Lancaster Boys' & Girls' Club	25,000
A7321.411	Youth Programs - Depew Boys' & Girls' Club	25,000

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	ABSTAINED	N.B.-1
COUNCILMAN KWAK	VOTED YES	
COUNCILMAN POKORSKI	VOTED YES	
COUNCILMAN VAN NORTWICK	VOTED YES	
SUPERVISOR GRECO	VOTED YES	

N.B.-1 Councilma Giza abstained due to his position in private employment as Executive Director of the Depew-Lancaster Boys and Girls Club.

August 3, 1992

File: R.CLUB.GRANT (P1-2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has previously filed with the Erie County Department of Personnel Form PO-17 "New Positions Duties Statement" for the purpose of obtaining the appropriate service title for the anticipated new position of Zoning Inspector, Part Time, Non-Competitive, in the Office of the Building and Zoning Department of the Town of Lancaster and

WHEREAS, the Erie County Department of Personnel has indicated that the appropriate title for this position is Zoning Inspector, Part-time, Non-Competitive

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates two positions of Zoning Inspector, Part-time, in the Office of the Building and Zoning Department of the Town of Lancaster, effective August 3, 1992, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and execute Section 8 of Form PO-17 (New Position Duties Statement) from the Erie County Department of Personnel, indicating that two positions of Zoning Inspector, Part-time, in the Building and Zoning Department of the Town of Lancaster have been created.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.PERS.CREATE (P4)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Building Inspector of the Town of Lancaster has purchased a supply of Town street maps and Town zoning maps for internal use by the various officials and departments of the Town of Lancaster and for distribution to the public at a price to be set by the Town Board, and

WHEREAS, the Town clerk has recommended a sale price to the public of \$1.00 for a street map and \$5.00 for a zoning map,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to sell to the general public a Town of Lancaster street map at \$1.00 each and a Town of Lancaster zoning map at \$5.00 each.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.BLANK (P2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, the Town of Lancaster has been notified by the Lancaster Central School District that the funding for the Program Leader (Youth-at-risk) program has been increased by \$861.00 for 1992, and

WHEREAS, the Executive Director has requested that the Town Board provide for additional wages in the Program Leader (Youth) section of the Town's annual budget as a result of this unanticipated revenue,

NOW THEREFORE BE IT

RESOLVED, that the following budget amendment to the 1992 Adopted Budget of the Town of Lancaster be and is hereby approved:

GENERAL FUND

Acct No.	Account Name	Increase
<u>General Ledger Accounts</u>		
A510	Estimated Revenues	\$ 861
A960	Budget Appropriations	861
<u>Subsidiary Ledger Accounts - Revenues</u>		
A2379	Program Leader (Youth)	861
<u>Subsidiary Ledger Accounts - Appropriations</u>		
A4320.101	Program Leader (Youth) Personal Services, Hourly Wages	861

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: 080392BUDAMND

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, the Town of Lancaster has received a project grant for
Program Year 1992-1993 pursuant to the Housing and Community Development Act
of 1974, and

WHEREAS, the Director of the Community Development Program for Erie
County has tendered an Agreement between the County and Town of Lancaster for
the purpose of undertaking eligible activities under said Grant;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and
directed to execute the Agreement between the County of Erie and the Town of
Lancaster for the purpose of assisting and undertaking essential community
development and housing assistance activities for the Program Year 1992-1993
for the following approved projects and costs related thereto:

Senior Citizen Center.

Funds will be used to construct a handicapped accessible building
dedicated fully to serving senior citizens. The building shall be
approximately 8,500 square feet and location shall be within the
Town of Lancaster, not necessarily exclusive of the Village of
Lancaster or the Village of Depew.

This project serves a limited clientele, namely senior citizens, who
by HUD guidelines are presumed to be low and moderate income
persons. This activity qualifies under 570.201 (c) of the HUD
regulations and complies with 570.208 (a)(i)(A) of the regulations
relating to meeting national objectives.

The total 1992-1993 Community Development Allocation: \$75,000.00.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

August 3, 1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deem it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of August, 1992, at 8:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before August 6, 1992, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

32X1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3rd day of August, 1992, the said Town Board will hold a Public Hearing on the 17th day of August, 1992, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

46-9. Maximum speed limits is hereby amended by adding thereto the following:

-
- G. A speed limit of fifteen (15) miles per hour shall be posted at all entrance roads and various locations, when deemed appropriate, within all public parks owned by the Town of Lancaster.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 3, 1992

FILE: R.VEH..TR.AMDMT.HEAR.

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, a Public Hearing was held on the 3rd day of August, 1992,
for the purpose of amending Chapter 50-Zoning, Section 17 (C)(2) Swimming
Pools and Ponds of the Code of the Town of Lancaster, County of Erie, and
State of New York, by deleting therefrom the following:

50-17.

C.

2. "....through the gate having a minimum height
of five (5) feet and a maximum"

and enacting in place thereof, the following:

50-17.

C.

2. ".... through the gate having a minimum height
of four (4) feet and a maximum"

and persons for and against such amendment have had an opportunity to be
heard, and

and, WHEREAS, a Notice of Public Hearing was duly published and posted,

WHEREAS, the Town Board, Town Attorney and Building Inspector have
recommended the proposed amendment of the Code of the Town of Lancaster,
County of Erie,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 50, Zoning, Section 17 (C)(2) Swimming Pools and
Ponds, of the Code of the Town of Lancaster, County of Erie and State of New
York, be and is hereby amended;

2. That said amendment be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 3rd day of August, 1992;

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3. That a certified copy of this amendment be published in the Lancaster Bee on August 6, 1992;

3. That a certified copy of this Amendment be posted on the Town Bulletin Board;

4. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

August 3, 1992

32x1

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 50, ZONING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that Chapter 50-Zoning, Section 17 (C)(2) Swimming Pools and Ponds, of the Code of the Town of Lancaster be and is hereby amended as follows:

CHAPTER 50, ZONING

Chapter 50, Section 17, (C)(2) Swimming Pools and Ponds of the Code of the Town of Lancaster is hereby amended by the deleting therefrom the following:

50-17.

C.

2. ".... through the gate having a minimum height of five (5) feet and a maximum"

and enacting in place thereof, the following:

50-17.

C.

2. "....through the gate having a minimum height of four (4) feet and a maximum"

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Amendment to the Zoning Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York, on the 3rd day of August, 1992, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 3rd day of August, 1992.

/s/ Robert P. Thill
Town Clerk

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THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 2982 to Claim No. 3130 Inclusive.

Total Amount hereby authorized to be paid:

\$503,400.39

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	ABSTAINED N.B.-1
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

N.B.-1 Councilma Giza abstained due to his position in private
employment as Executive Director of the Depew-Lancaster
Boys and Girls Club.

August 3, 1992

File: R.CLAIMS

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, Councilman Robert Giza and Patrick Pokorski have requested authorization to attend the National Association of Towns and Townships Conference to be held from September 9th through September 12th, 1992 in Washington D.C.,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT H. GIZA and PATRICK C. POKORSKI, Councilmen of the Town of Lancaster, be and are hereby authorized to attend the National Association of Towns and Townships Conference to be held from September 9th through September 12th, 1992 in Washington D.C., with expense reimbursement authorized for in an amount not to exceed \$1,000.00 each, including mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.SEM.MTGS (P2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

At a regular meeting of the town board of the Town of Lancaster, Erie County, New York, held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in said town, on the 3rd day of August, 1992, at 8:00 o'clock p.m., prevailing time.

PRESENT:

Lucian J. Greco, Supervisor
Robert H. Giza, Councilman
Donald E. Kwak, Councilman
Patrick C. Pokorski, Councilman
Thomas H. VanNortwick, Councilman

In the Matter
of

the petition of the Millgrove Volunteer Fire Department Inc. for consent of the town board of the town of Lancaster of the proposed issuance by the Millgrove Volunteer Fire Department Inc. of an obligation to the Alden State Bank for the purchase of 1 Grumman Class A 1500 GPM pumper

ORDER CALLING
PUBLIC HEARING

WHEREAS, the Millgrove Volunteer Fire Department Inc. is a qualified fire department with respect to an area within the jurisdiction of this town; such term is defined by 26 USCS §150(e)(2), the same being organized and operated to provide firefighting or emergency medical services for persons within the town of Lancaster which is not provided by any other firefighting services and which is required by written agreement with the town of Lancaster to furnish firefighting services in said area; and

WHEREAS, the Millgrove Volunteer Fire Department Inc. has contracted for the purchase of a Grumman Class A 1500 GPM pumper to be garaged at 11621 Genesee Street, Alden, New York and to be utilized for firefighting or emergency services for persons within the jurisdiction of the town of Lancaster; and

WHEREAS, the proposed method of financing the cost of said acquisition consists of the issuance of bonds of said Millgrove Volunteer Fire Department Inc., maturing in annual installments over a period not exceeding twenty years, to be paid from receipts of the department sufficient to pay the principal of and interest on said bonds as the same become due and payable, in the manner provided by law; and

WHEREAS, such bond is intended to be issued as part of an issue 95 percent or more of the net proceeds of which are to be used for the acquisition of said fire truck to be used by such department; and

WHEREAS, the maximum amount of obligations to be issued by the Millgrove Volunteer Fire Department Inc. with respect to said acquisition is estimated to be \$140,000; and

WHEREAS, the Alden State Bank has agreed to purchase the obligation intending to be issued by the Millgrove Volunteer Fire Department Inc. with respect to said acquisition; and

WHEREAS, it is the desire of the Millgrove Volunteer Fire Department Inc. to have such obligation treated as a bond of a political subdivision of a state pursuant to the provisions of 26 USCS §150(e); and

WHEREAS, it is necessary, in compliance with 26 USCS §147(f), to obtain the approval of the elected legislative body of this town after a public hearing following reasonable public notice, for said action; and

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WHEREAS, it is now desired to call a public hearing upon the question of the petition of the Millgrove Volunteer Fire Department Inc. for consent of the town board of the town of Lancaster of the proposed issuance by the Millgrove Volunteer Fire Department Inc. of an obligation to the Alden State Bank for the purchase of said Grumman Class A 1500 GPM pumper, all pursuant to applicable state and federal statute;

NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Lancaster, Erie County, New York, as follows:

Section 1. A meeting of the town board of the Town of Lancaster, Erie County, New York, shall be held at the board room of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, in said Town, on the 17th day of August, 1992, at 8:30 o'clock p.m., prevailing time, for the purpose of holding a public hearing to consider the petition of the Millgrove Volunteer Fire Department Inc. for consent of the town board of the town of Lancaster of the proposed issuance by the Millgrove Volunteer Fire Department Inc. of an obligation to the Alden State Bank for the purchase of said Grumman Class A 1500 GPM pumper, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said town board as may be required by law or shall be proper in the premises.

Section 2. The town clerk is hereby authorized and directed to cause a copy of this order to be published once in the Lancaster Bee, the official newspaper of said town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said town clerk shall also cause a copy thereof to be posted on the sign-board of the town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Lucian J. Greco, Supervisor
Robert H. Giza, Councilman
Donald E. Kwak, Councilman
Patrick C. Pokorski, Councilman
Thomas H. VanNortwick, Councilman

Members of the Town Board of the Town of Lancaster, Erie County, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, the Supervisor and other town officials have been contacted by residents in the area of the Pine Hill Concrete Mix Corporation operation located on Pavement Road, concerning items of dust, noise and hours of operation, and

WHEREAS, various meetings have been held between town officials and representatives of Pine Hill Concrete Mix Corp. and the neighboring residents, and

WHEREAS, it appears that the dust, noise and hours of operation issues have not been resolved to the satisfaction of all parties involved, and

WHEREAS, the Town Board is aware that the State of New York has usurped extensive jurisdiction over the operation of mines and excavations, but that the Town still retains some limited jurisdiction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board directs the office of the Town Attorney to look into the areas of remaining jurisdiction exercisable by the Town and at the same time contact the Department of Environmental Conservation for the purpose of identifying specific laws, rules and regulations available to help resolve this continuing situation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Assessor of the Town of Lancaster, by letter dated July 24, 1992, has requested authorization to have himself and Christine Fusco, Data Entry Operator in the Assessor's Office, to attend a one day seminar entitled "Preparation for Article 7 Proceedings" to be held in Cheektowaga on September 22, 1992, and

WHEREAS, the Assessor, by same letter, has indicated that the cost for his attendance at said seminar, including mileage, will be reimbursed by the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, that MALCOLM J. FRANCIS, Assessor, and CHRISTINE FUSCO, Data Entry Operator in the Assessor's Office of the Town of Lancaster be and are hereby authorized to attend a one day seminar entitled "Preparation for Article 7 Proceedings" to be held in Cheektowaga on September 22, 1992, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby granted in an amount not to exceed \$75.00, for attendance of Christine Fusco at said seminar, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.SEM.MTGS (P4)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Town Attorney of the Town of Lancaster, by letter dated July 28, 1992, has requested authorization to have himself or Kristin Wolf, Deputy Town Attorney of the Town of Lancaster attend a one day seminar entitled "Preparation for Article 7 Proceedings" to be held in Cheektowaga on September 22, 1992,

NOW, THEREFORE, BE IT

RESOLVED, that JOSEPH F. REINA, Attorney or KRISTEN WOLF, Deputy Town Attorney, be and is hereby authorized to attend a one day seminar entitled "Preparation for Article 7 Proceedings" to be held in Cheektowaga on September 22, 1992, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby granted in an amount not to exceed \$75.00, plus mileage, for attendance of either party at said seminar, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.SEM.MTGS (P5)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster.
- (CSW) = Conditional sidewalk waiver.

NO.	CODE	NAME	ADDRESS	STRUCTURE
497		Joseph Przepiora	176 Peppermint Rd	ER. GARAGE
498		Mary Siminski	88 Pheasant Run Ln	ER. DECK
499	(T)(SW)	John Renkas	51 Schlemmer Rd	ER. SIN. DWLG
500	(T)	Fischione Construction	49 Hidden Trail	ER. SIN. DWLG
501		Logan Homes	3 Home Rd	REM. SIN. DWLG
502		Duane Paddock Jr	25 Greenbriar	ER. FENCE
503		Thomas Banas	3597 Bowen Rd	ER. GARAGE
504		David Johnson	1281 Ransom Rd	ER. GARAGE
505		M/M Jeffrey Payne	64 Westwood Rd	ER. DECK
506	(T)	Fischione Construction	3 Old Mill Run	ER. SIN. DWLG
507		Robert Light	340 Westwood Rd	ER. DECK
508		Ferraina Construction	2663 Wehrle Dr	ALT. SIN. DWLG
509	(T)	Michael Kokeny	4 Harewood Run	ER. SIN. DWLG
510		Lynn Bartoszewicz	16 Greenmeadow Dr	ER. DECK
511		Mike Sebasticino	69 Pleasant View Dr	ER. SUN ROOM
512		James Gonzalez	24 Gale Dr	ER. SHED
513		Pat Files	282 Erie St	EXT. SIN. DWLG
514		Philip Kryzak	26 Hemlock	ER. DECK
515	(T)	M/M William Partridge	8 Lake Forest Pkwy	ER. SIN. DWLG
516		Dan Aldrich	383 Stony Rd	ER. PATIO. COVER
517		Bernard & DeSimone	71 Ward Rd	ER. OFFICE. BLDG
518	(T)	Marrano/Marc Equity	3 Stony Brook Dr	ER. SIN. DWLG
519	(T)	Stratford Homes, Inc.	1128 Penora St	ER. SIN. DWLG
520	(T)	Marrano/Marc Equity	2 Woodgate Dr	ER. SIN. DWLG
521	(T)	Marrano/Marc Equity	15 Stony Brook Dr	ER. SIN. DWLG
522	(T)	Marrano/Marc Equity	23 Stony Brook Dr	ER. SIN. DWLG

32X1

523 (T)	Stratford Homes, Inc.	21 Grace Way	ER. SIN. DWLG
524 (T)	Marrano/Marc Equity	14 Spruceland Ter	ER. SIN. DWLG
525 (T)	<i>Revised 9/82 (th)</i> F & D Construction	18 Old Schoolhouse Rd	ER. SIN. DWLG
526	Gaiser Const. Corp.	6 Squirrel Run	EXT. SIN. DWLG
527	Custom Design Decks	57 Running Brook Dr	ER. DECK
528 (T)	Forbes Homes	91 Hillside Pkwy	ER. SIN. DWLG
529 (T)	Forbes Homes	19 Hill Valley Dr.	ER. SIN. DWLG

and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded the Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.BLDG (P1-2)

32X1

Councilman Van Nortwick requested a suspension of the necessary rule for immediate consideration of the following resolution.

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, the New York State Department of Conservation has awarded a contract for remedial work at the Pfohl Brothers Landfill in the Town of Cheektowaga, starting July 15, 1992, testing and sampling of the hazardous wastes at this site, and

WHEREAS, the Hyview Volunteer Fire Department has requested that the Town of Lancaster Hazmat Team provide equipment (Weather Pak) if a spill or a fire occurs on the site, and

WHEREAS, the Combined Hazmat Team Leader of the Town of Lancaster, by letter dated July 10, 1992 has requested authorization from the Town Board to provide equipment and response in the event a spill should occur,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Combined Hazmat Team of the Town of Lancaster to provide equipment and services to the Pfohl Brothers Landfill site in the Town of Cheektowaga in the event a spill should occur and their assistance is requested, and

BE IT FURTHER

RESOLVED, that in the event the Town of Lancaster Hazmat Team responds to this site, the Town of Lancaster shall invoice the appropriate party for any costs involved in deploying the equipment and personnel of the Town of Lancaster to this site.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

August 3, 1992

File: R.BLANK

32X1

STATUS REPORT ON UNFINISHED BUSINESS:

1. **Detention Basin - Milton Drive**
On September 3, 1991, the Town Board authorized the Supervisor to enter into an agreement with the Village of Lancaster for this remedial work. On October 7, 1991, the Town Board adopted a \$300,000.00 bond resolution to fund this project.
2. **Dumping Permit - Anthony/Carol Batog**
On July 20, 1992, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. **Dumping Permit - Bella Vista Corp.**
On July 22, 1992, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
4. **Dumping Permit - Diamond "D" Construction, Corp.**
On May 2, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
5. **Dumping Permit - L.P.R.C. Unlimited, Inc. - 455 Harris Hill Rd. - (3.64 Acres).**
On April 6, 1991, the matter was referred to the Town Engineer and Building Inspector for review and recommendation.

6. **Public Improvement Permit Authorization - The Crossings Subdivision, (Giallanza)**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

7. **Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I (Donato) Outstanding Items Only.**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

8. **Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	Yes
Pavement and Curbs	Yes	No	No	Yes	Yes
Storm Sewers	Yes	No	No	n/a	Yes
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

9. **Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (DiLapo) Outstanding Items Only:**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway Grading	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)10. Public Improvement Permit Authorization - Eastview Village Subdivision.
Phase II (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>INDEXED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway (S. Br.)	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

11. Public Improvement Permit Authorization - Eastview Village Subdivision.
Phase III (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>INDEXED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	No	No	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

12. Public Improvement Permit Authorization - Giffon Park Subdivision
(Donato Developers)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>INDEXED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

13. Public Improvement Permit Authorization - Hillen Hollow Subdivision.
(Paul M. Dombrowski)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>INDEXED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	No	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

14. Public Improvement Permit Authorization - Hillview Estates Subdivision
Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>INDEXED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	NB-2-
Pavement and Curbs	Yes	Yes	Yes	NB-1-	NB-2-
Storm Sewers	Yes	Yes	Yes	n/a	NB-2-
Detention Basin	Yes	No	No	No	NB-2-
Street Lights	Yes	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- Filed but not yet returned.

NB-2- Town Attorney has Bill of Sale.

15. Public Improvement Permit Authorization - Hillview Estates Subdivision
Phase II (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>INDEXED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)16. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase I (Fischione Const., Inc.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

17. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase II (Fischione Construction)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

18. Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

19. Public Improvement Permit Authorization - Larkspur Acres Subdivision, (Andrusz & Schmid Dev.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	***	Yes
Detention Basin	Yes	No	No	No	n/a

*** Deed received but not yet filed.

20. Public Improvement Permit Authorization - Liberty Square Subdivision (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

21. Public Improvement Permit Authorization - Meadowlands Subdivision (Bosse) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

22. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	***	Yes
Detention Basin	Yes	No	No	No	n/a

*** Deed received but not yet recorded.

32X1

23. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Pavement and Curbs	Yes	Yes	Yes	No	Yes

24. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I
(Josela) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
E. Detention Pond	Yes	No	No	No	n/a
W. Detention Pond	Yes	No	No	No	n/a

25. Public Improvement Permit Authorization - Stony Brook, Phase I
(Marrano) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Pavement & Curbs	Yes	Yes	Yes	***	Yes
Detention Area 1	Yes	No	No	No	n/a
Detention Area 2	Yes	No	No	No	n/a

*** Deed received but not yet filed.

26. Public Improvement Permit Authorization - Stony Brook, Phase II
(Marrano) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Area	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	Yes

27. Public Improvement Permit Authorization - Stony Brook, Phase III (A)
(Marrano)

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Pond	Yes	No	No	No	n/a
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	No	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

28. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a

29. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	Yes	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)30. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

31. Public Improvement Permit Authorization - Windeor Ridge Subdivision.
Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

32. Public Improvement Permit Authorization - Woodgate Subdivision.
Phase I (Josela Enterprises)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

33. Rezone Petition - Donato Developers/Josela Enterprises

On June 10, 1992, this matter was referred to the Planning Board for review and recommendation. On July 20, 1992, the Town Board set a Public Hearing on this matter for August 3, 1992. On August 3, 1992, the Town Board held a Public Hearing on this matter and reserved decision.

34. Rezone Petition - Fox Valley Estates

On November 19, 1991, this matter was referred to the Planning Board for review and recommendation. On December 4, 1991 the Planning Board recommended approval of this proposed rezone. On February 24, 1992, the Municipal Review Committee adopted a Positive SEQOR Declaration on this matter.

35. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.36. Subdivision Approval - Bowen Road Square (Off Bowen Road)

On August 30, 1990, the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990, the Planning Board approved the preliminary plat for this development subject to three conditions. On January 22, 1991, the Municipal Review Committee tabled their SEQOR Review decision pending receipt of additional data from the petitioner.

25 X

32 X

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

37. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. On October 7, 1991, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On December 2, 1991, the Building Inspector transmitted an application for sketch plan approval to the Planning Board for review. On June 1, 1992, the developer tendered to the Town Clerk an additional subdivision filing fee of \$355.00. On June 1, 1992, the Building Inspector distributed a Preliminary Plat Plan to the Planning Board and various reviewers. On July 6, 1992, the Town Board authorized the filing of a map cover for this subdivision. On July 16, 1992, a map cover was filed in the Erie County Clerk's Office under No. 2615. This item will be removed from future Town Board agendas.
38. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
39. Subdivision Approval - Easy Acres (Off Seibert Road)
On June 22, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.
40. Subdivision Approval - Fox Valley Estates (Off Peppermint Road)
On November 22, 1991, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.
41. Subdivision Approval - Glen Hollow (off William St.)
On January 22, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On February 5, 1992, the Planning Board approved a sketch plan for this subdivision. On March 16, 1992, the Municipal Review Committee adopted a Negative SEQR Declaration. On April 28, 1992, the Building Inspector distributed a revised sketch plan of this subdivision to various reviewers.
42. Subdivision Approval - Golfe Creek Town Homes (formerly Country Club Commons) (Townhouses - Off Broadway West of the Lancaster Country Club)
On July 9, 1990, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On October 24, 1990, the Building Inspector transmitted an Application for Sketch Plan Approval to the Planning Board for review. On November 7, 1990, the Planning Board approved the sketch plan for this development. On November 21, 1990, the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1090.00. On November 28, 1990, the Planning Board approved the Preliminary Plat Plan. On February 1, 1991, the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On February 11, 1991, the Town Attorney notified the developer that the final plat was not sufficient. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On August 19, 1991, the Town Board approved a name change for this project to Golfe Creek Town Homes and authorized the filing of a map cover in the Erie County Clerk's office under that name. This item remains on the agenda until the map cover is filed.
43. Subdivision Approval - Lake Forest South (Off Lake Avenue)
On March 19, 1991, the Town Board approved the final plat for this subdivision and authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on agenda until map cover is filed.

32x1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

44. Subdivision Approval - Parkedge (Off William Street)
On October 18, 1989, the Planning Board approved the sketch plan for this project. On March 6, 1991, an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991, a \$1285.00 subdivision filing fee was received by the Town Clerk. On May 6, 1991, the SEQR Municipal Review Committee adopted a negative declaration.
45. Subdivision Approval - Stony Brook, Phase IV (South Side of Pleasant View Drive)
On March 16, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On April 1, 1992, the Planning Board approved the sketch plan.
46. Subdivision Approval - Towne Square Townhouses (Broadway east of Bowen)
This project was in the process of approval prior to adoption of the current zoning ordinance and is therefore a grandfathered project. On July 9, 1990, the Municipal Review Committee adopted a SEQR Negative Declaration on this project. On January 16, 1991, the Planning Board recommended approval of the project subject to the Town Board's resolution of three Planning Board concerns. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. On February 24, 1992 the Town Board re-approved the filing of a map cover. This item remains on the agenda until map cover is filed.
47. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter.
48. Subdivision Approval - Walnut Creek (Off Aurora Street)
On April 28, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.

PERSONS ADDRESSING THE TOWN BOARD:

Joseph Chmura, 366 Penora Street, told the Town Board that he is opposed to the building of any Senior Citizens Center. He did not think the Town needed one.

Gregory Stevens, 19 Plumb Creek Trail complained that the flooding area behind his home on Plumb Creek Trail is not being maintained by the Highway Department on a regular basis.

Ray Gwarek, 897 Erie Street, complained of uncovered trucks spilling debris on Town and County roads.

Mark Lawniczak, Chief of the Bowmansville Volunteer Fire Dept., 61 Heritage Drive, complained of illegal dumping by the Bella Vista Corp. on property contiguous to lands owned by the fire department.

Ralph Mohr, 5622 Broadway, the attorney for the Millgrove Volunteer Fire Dept., thanked the Town Board for setting an August 17th, Public Hearing relative to the issuance by the Millgrove Volunteer Fire Dept. of tax exempt bonds.

Tim Schwach, 67 Gale Drive, and David Marrano, 25 Squirrel Run complained that the Town of Lancaster is not maintaining subdivision entrance islands on a regular basis.

25X1

32X1

Terry McCracken, 9 Fieldstone Lane thanked the Town Board for action taken in regard to his complaint about poor maintenance of subdivision entrance islands.

The following persons alerted the Town Board to the dangerous condition on Maple Drive caused by increased traffic due to this street being used as a shortcut around the construction at Transit and Genesee:

Carl Myers, 21 Main Street

Gale Kleparek, 19 Main Street

Ron Krasnowicz, 145 Nichter Road, complained to the Town Board about the excessive noise from the operation of the Pine Hill Concrete plant at Pavement Road and Nichter Road at all hours of the day and night.

Mary Ardino, 162 Main Street, expressed concerns about spending \$1,000,000.00 for a senior citizens center serving about 300 people.

32x1

COMMUNICATIONS

DISPOSITION

505. Lancaster Village Attorney to NYS Regional Grants Rep. - Transmittal of Parkland Alienation Information Form re: transfer of parklands to Town.	R & F
506. Town Clerk to Engineer and Building Inspector - Transmittal of dumping permit application of Anthony/Carol Batog.	R & F
507. UAW Legal Services Plans to Town Board - Request, on behalf of Ernest Wolter, 1201 Town Line Rd., maintenance cleaning of ditch D5.	R & F
508. County Health Dept. to Town Board - Transmittal of Approval of Completed Works for public water supply improvement re: Indian Pine Village, Phase II.	R & F
509. ECDEP to Krehbiel Associates - Request input re: Fox Valley Estates sewage holding tank.	TOWN ENGINEER
510. Johnstone Reid, Jr., AIA, CCS to Town Board - Comments and opinions re: proposed Sr. Citizens Center.	TOWN ENGINEER
511. Town of Clarence to Town Clerk - Transmittal of SDQR review for a comprehensive interceptor sanitary sewer plan.	PUBLIC SAFETY COMMITTEE TOWN ATTORNEY
512. Town of Alden to NYSDEC - Request designation of lead agency re: proposed Water District No. 4.	R & F
513. Town Clerk to Engineer and Building Inspector - Transmittal of dumping permit application of Bella Vista Group, Inc.	R & F
514. Receiver of Taxes to Town Board - Transmittal of final report of 1992 County and Town tax collection.	R & F
515. Sharon Hartwig to Town and Planning Boards - Request assistance re: building plans for 52 Simme Rd.	R & F
516. Town Clerk to Planning Board Chair. - Transmittal of Special Use Permit application of Jo Ann Ward for beauty salon.	PUBLIC SAFETY COMMITTEE
517. Police Chief to County Div. of Highways - Concerns re: condition of Cemetery Rd. Bridge with request for inspection of same.	HIGHWAY COMMITTEE PUBLIC SAFETY COMMITTEE
518. Town Attorney to Town Board - Request permission for himself or Dep. Town Attorney to attend Article 7 Seminar to be held in Cheektowaga on 9/22/92.	R & F
519. Assessor to Town Board - Request authorization for himself and Christine Fusco to attend Article 7 Seminar to be held 9/22/92.	R & F
520. County Health Dept. to Town Board - Transmittal of Approval of Completed Works for public water supply improvement re: Eastwood Village North, Phase II.	R & F
521. Bownansville V.F.A. to Supervisor - Advisement of capital improvement to be made at Station #1.	TOWN ATTORNEY

25 X

32 X

COMMITTEES

DISPOSITION

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| 522. NYSDOT to Supervisor -
Request response on hazardous material spill incidents re: Transit Rd. reconstruction. | DISASTER COORDINATOR

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| 523. County Div. of Highways to Supervisor -
Designation of Wehrle Drive, at intersection with Transit Rd., being restricted from 7/27/92 till end of project. | R & F

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| 524. NYSDOT to Supervisor -
Request resolution providing Town maintenance of sidewalks re: Transit Rd. project that is within Town's jurisdiction. | TOWN ATTORNEY
TOWN ENGINEER

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| 525. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney -
Transmittal of three variance petitions for meeting of 8/13/92. | R & F

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| 526. Councilman Giza and Pokorski to Town Board -
Request permission to attend the Nat'l Assoc. of Towns and Townships to be held on 9/9-12/92 in Washington, D.C. | R & F

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| 527. Leg. Ralph Mohr to Town Board -
Request resolution setting public hearing re: Millgrove V.F.D. request for bond from Alden State Bank for purchase of pumper. | R & F

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ADJOURNMENT:

ON MOTION OF COUNCILMAN GIZA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk